

CITY COUNCIL  
COMMUNITY PLANNING AND TRANSPORTATION  
COMMITTEE MINUTES  
July 21, 2011

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the Conference Room on the 21st day of July, 2011, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Kovach, Lockett, and Chairman Dillingham

ABSENT: Councilmember Gallagher

OTHER STAFF PRESENT: Ms. Susan Connors, Planning and Community Development Director  
Mr. Doug Koscinski, Current Planning Manager  
Mr. Angelo Lombardo, Traffic Engineer  
Mr. Blaine Nice, Assistant City Attorney  
Mr. Shawn O'Leary, Director of Public Works  
Mr. Scott Sturtz, Capital Projects Manager  
Ms. Karla Chapman, Administrative Technician

OTHER GUESTS PRESENT: Mr. Bret Cabiness, Interested citizen  
Mr. Mark Campbell, Interested citizen  
Mr. Todd Cochran, Schemmer Associates  
Ms. Holly Massie, Special Program Officer, Association of Central Oklahoma Governments  
Ms. Janice Oak, Progressive Independence  
Mr. Cody Ponder, Grants Specialist II for OU  
Mr. Dough Tennant, Senior Planner, Jacobs Engineering  
Mr. Wayne Wickman, OU Transit Operations Manager

REPORT FROM THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) REGARDING FINAL RECOMMENDATIONS FOR THE INTERMODAL HUB STUDY.

Chairman Dillingham introduced Mr. Doug Tennant, Senior Planner with Jacobs Engineering, and Ms. Holly Massie, Special Programs Officer, Association of Central Oklahoma Governments (ACOG). Mr. Tennant highlighted the "*Intermodal Transportation Hub Study for Central Oklahoma (Hub Study)*" and stated the project vision is to create a plan for a new transportation center and gateway for Oklahoma City and the region that promotes mobility, enhances the image of public transportation, and creates a catalyst for economic development.

Mr. Tennant said Oklahoma City is the center of the region and the most likely place for a new transportation center, not only for cars but for all types of mobility. He said a transportation center/hub needs to serve as the core for all transportation modes while instilling community confidence in public transportation and one of the easiest ways to encourage community support and confidence is to have buses, trains, etc., run on time. Mr. Tennant said from his experience, transportation hub facilities can serve as a catalyst for economic development.

Mr. Tennant said his firm did a Fixed Guideway Study in 2005/2006 and identified Commuter Rail routes, which are also the proposed corridors for the 2030 Transit System Plan and include: **Commuter Rail**: Edmond/Norman, Edmond/Midwest City and Norman/Midwest City; **Bus Rapid Transit**: Reno/Downtown (Hub), Northwest/Downtown (Hub), Will Rogers Airport, and 54th Street; and a **Bus Network**.

Mr. Tennant provided an overview of what the Transit System Network would consist of and said ten site locations were established as possible transportation hub sites and a tier site analysis was performed to determine the top three site locations. A tier site evaluation was completed using the following criteria:

- Multimodal Access: ability to provide a balance of access by all modes including streetcar, bus, bike, and commuter and high speed regional rail.
- Site Configuration: ability to accommodate program components including platforms, facility requirements, parking and access.
- Economic Development: ability to provide a combination of development potential on vacant or underutilized parcels in a desirable, walkable location.
- Urban Form: appropriate density, walkable environment, and transit supportive zoning.
- Environmental: minimizes displacements, noise impacts, and historic property impacts.

The evaluations recommended that the Santa Fe Station as the top site location for a transportation hub because of adequate transit capacity through 2030 and beyond; the available economic development opportunities that can link Downtown to Bricktown; the civic presence and high visibility to promote rail transit across the region; and a new pedestrian and urban linkage from Downtown to Bricktown.

Mr. Tennant said the Systems Plan for the Hub Study takes the transportation hub to the year 2030 and beyond and the additional proposed corridors include commuter rail to Northeast Oklahoma City/Yukon and Midwest City/Airport, as well as light rail from Northwest/Downtown (Hub) and Will Rogers Airport. A capacity and operations analysis was completed using three platforms at the transportation hub and Mr. Tennant provided data for the Hub Operations Plan, Train Schedule Simulation, and Track Layout.

Mr. Tennant presented schematics reflecting what the overall Intermodal Hub Master Plan might look like with two platforms. The schematics depicted the floor plan for the Transit Hall and Garage/Intercity Bus, as well as the conceptual view of a Bricktown "portal". The project costs and phasing recommendations for the Intermodal Hub include:

<b>Phase 1:</b>	<u>Santa Fe Acquisition:</u> Terminal building and associated property	\$ 2,154,000
<b>Phase 2:</b>	<u>Passenger Operations</u> Amtrak/CR/HSR platforms, canopies, pedestrian access, transit hall, Santa Fe restoration, and Gaylord/Bricktown Plazas <ul style="list-style-type: none"><li>▪ High Speed Rail (62%) \$52,179,000</li><li>▪ Commuter Rail (31%) \$26,090,000</li><li>▪ Amtrak (4%) \$ 3,366,000</li><li>▪ Intercity Bus (3%) \$ 2,525,000</li></ul>	\$ 84,160,000
<b>Phase 3:</b>	<u>Expanded Passenger Operations</u> Third platform, elevated guideway, widening, and bridge modifications <ul style="list-style-type: none"><li>▪ High Speed Rail (50%) \$20,775,000</li><li>▪ Commuter Rail (50%) \$20,775,000</li></ul>	\$ 41,550,000
<b>Total Program (\$2011)</b>		<b>\$127,864,000</b>

Mr. Tennant felt ACOG and the City of Oklahoma City was very positive when this Study was presented to them and ACOG is discussing doing a Commuter Rail Alternatives Analysis in the Fall of 2011. Mr. Tennant said the study will involve systems planning and may include the implementation process and costs for commuter rail transportation to Norman, as well as, how connections through the hub to Edmond could be accomplished. He said it is an exciting time in this region and felt when a train system is added to a region it changes the dynamics of a community; saves money on road repairs; and generates economic development. Mr. Tennant said a train system

forces the City to envision the community in a different way, thus transportation, land use, and planning are all tied together.

Mr. Tennant encouraged the City get an Urban Circulator online as soon as possible and consider offering options to the community so they will not be forced to drive a car, only to park it downtown, in order to board a train. He said the City needs to examine how to revitalize Norman's downtown area and consider what public transportation options will be promoted and extended.

Items submitted for record

1. PowerPoint presentation entitled Association of Central Oklahoma Governments "Intermodal Transportation Hub Study for Central Oklahoma," presented by Jacobs Engineering

DISCUSSION REGARDING ADOPTING A POLICY FOR PARTICIPATION IN THE DRAFTING OF NEW ORDINANCES BY REPRESENTATIVES OF GROUPS DIRECTLY AFFECTED.

Chairman Dillingham said Mr. Harold Heiple, Attorney for Norman Developers Council (NDC), sent a letter dated July 12, 2011, to the Norman City Councilmembers and City Manager requesting consideration of a new policy regarding drafting of comprehensive ordinances.

Chairman Dillingham said Mr. Heiple could not attend the Community Planning and Transportation Committee (CPTC) this evening because he has a conflict with the third Thursday of each month, which is when the CPTC meetings are scheduled. She said in order to include Mr. Heiple in these discussions the Committee needed to discuss changing the dates for the August and September meetings. Councilmember Dillingham suggested tentatively scheduling Wednesday, August 24, 2011, and Thursday, September 22, 2011, and the Committee agreed those two particular dates would be acceptable. The Committee also discussed permanently changing the CPTC meetings to the fourth Wednesday of each month thereafter.

Chairman Dillingham said Council has recently dealt with issues that included large policies that have worked and *not* worked well. She said Mr. Heiple's letter indicated some of the policies that worked well and resulted in very little debate or disagreements included the creation of the Flood Plain Ordinance and the Property Owners Association Ordinance. Although Mr. Heiple did not list, Chairman Dillingham felt the Festival/Special Events Ordinance (Mass Gathering Ordinance) also worked well. She said from the very beginning, these particular policies included public participation of individuals who either benefited or was burdened by those policies and the individuals provided public input on how the potential policy might affect their businesses and/or lives. Chairman Dillingham said examples of individuals who were very engaged in the Norman Music Festival included businesses located in the downtown area, as well as, art consumers, and event planners.

Chairman Dillingham said Mr. Heiple stated in his letter policies that did *not* work well and generated considerable disagreement include the Greenbelt Ordinance, Commercial Lighting Ordinance, Storm Water Quality Protection Ordinance, and the Water Zoning Overlay District Ordinance. She said Mr. Heiple has suggested that Council create some type of internal policy or actual resolution regarding the drafting of comprehensive ordinances and included an informal draft resolution for Council to review.

Chairman Dillingham felt Mr. Heiple, as well as Council, wanted the same end result/goal and this type of resolution would further make the City of Norman a more transparent government. She said the resolution would also allow all parties, whether benefited or burdened, the opportunity to participate and give input on any policy issue. She said Mr. Heiple, however, has also suggested excluding any group whose primary mission is partisan politics and/or religious preference and/or sexual orientation from participating and giving public input which she felt that may cause some first amendment issues, i.e., St. Joseph's Church not being allowed to participate during the Porter Corridor Project. She felt it was very important for Staff and Council to be very deliberate with thinking how this topic should be pursued in order to not unintentionally mess with representative democracy, the first amendment, or an individual's business.

Chairman Dillingham said Mr. Heiple's draft resolution defines **group directly affected** as 15 registered voters of a group which customarily meets nine times during the calendar year and she felt that may unfairly limit a group. She said comprehensive policy may be considered for issues other than business and development, i.e., the Historic District Commission deals with property usage and recently changed the Historic District Handbook which at times did not affect more than 15 people. Chairman Dillingham said she has identified other issues that could possibly be considered comprehensive policy according to Mr. Heiple's draft, but having very different complexities and include groups and/or individuals needing the opportunity to participate and give input such as property rights; zoning and platting; business development and business practices; solicitor/peddler and food vendor permits; transportation and traffic; game day parking; mass gathering and special events; economic development; and entertainment. She said many of the scenarios she mentioned may affect less than 15 people who may or may not meet at least nine times a year, while other scenarios may affect a vast group of people who may still not meet at least nine times a year. She said Staff and Council will need to determine if in fact having citizens crafting these policies "word for word" is what we are trying to achieve and if so, how would we accomplish the task.

Councilmember Kovach said during the Lighting Ordinance process; Mr. Heiple requested to invite specific individuals to the table, but according to his draft resolution definition for **group directly affected** they would not have been invited. He said he is in absolute agreement that having individual(s), come to the table and participating in the process is important rather than *group(s)* only having the opportunity to make comments. Councilmember Kovach felt the language defining *group* needed to be amended to include "an individual or small group" and said even a small group of three would be very much effective. He felt individual(s) have "skin in the game" and at the very least, should be able make miscellaneous comments to the group so their input can be heard as well. Councilmember Dillingham said possibly changing the language to "individuals/groups that are not unfairly benefited and/or burdened by policy,..." rather than having the phrase "group directly affected," would be more appropriate and Councilmember Kovach said even if individual(s) are invited they can choose not to participate.

Chairman Dillingham said decisions will need to be made regarding the best way to notify citizens if policy states that "all who may be unfairly benefited and/or burdened by policy," be invited to participate. She requested Staff to consider the notification process as well as research Charter language and City Ordinances to make certain the City will not inadvertently cause conflict or inconsistency with current policy and procedures.

Chairman Dillingham said she discussed this topic with Councilmember Ezzell, who is the Chairman for the newly formed City Council Business and Community Affairs Committee (BCAC) and he indicated he would notify the BCAC so that they would also have the opportunity to give input.

Chairman Dillingham said she does not want a policy for drafting new ordinances to inundate and overload the CPTC, BCAC, or Staff and Councilmember Kovach agreed. Councilmember Kovach said item 3(b) "**comprehensive ordinance**" in Mr. Heiple's draft ordinance was very broad and could apply to any City ordinance. He requested Staff to estimate how much time would be added to the process if every proposed ordinance that Council may consider had to go through some sort of notification process and include scheduling of public meetings where those individuals could make comments. Councilmember Kovach said he is concerned that there are City issues that need to be moved along more expeditiously and Chairman Dillingham agreed. Chairman Dillingham felt defining the scope of "**comprehensive ordinance**" will be the most difficult task and Councilmember Kovach said the verbiage "practical" may need to be inserted into the language.

Chairman Dillingham said she was concerned with item 4 in Mr. Heiple's draft ordinance "...That the City Manager shall designate a City employee to moderate and to provide clerical assistance for...", and felt Mr. Heiple considers current City Staff should perform this scope of work. She felt Mr. Heiple contends that occasionally City Staff gets so focused on their own job responsibilities and this will push Council in the direction of over-legislating, which is not the goal. Chairman Dillingham said by the same token, she does not want the "wrong" Staff helping draft proposed ordinance(s) and Councilmember Kovach felt a lot of good work regarding proposed draft ordinances have come forward for Council consideration that were initially summarized by Staff. He said as long as Council has a review process to determine if change(s) should be made to proposed draft ordinances, he felt Staff input is necessary and appropriate to come up with the "starting point" at which Council works from.

Chairman Dillingham requested Staff research Mr. Heiple's draft ordinance proposal, determine where issues may arise regarding the City Charter and City Ordinances, as well as, if a policy will negatively impact Staff's ability to perform the work that will be involved, i.e., citizen notification, drafting proposed ordinances, etc. Councilmember Kovach welcomed any suggestions from Staff how we make the theory of a policy for drafting ordinances work and Chairman Dillingham felt an actual Resolution may not be needed but rather a clear and direct commitment that certain steps be done when crafting policy.

Items submitted for record

1. Letter dated July 12, 2011, with proposed new policy regarding the drafting of comprehensive ordinances, from Mr. H.L. Heiple, Attorney for Norman Developers Council, to Norman City Council Members and City

MISCELLANEOUS DISCUSSION.

Mr. Cody Ponder, Grants Specialist II for OU, provided Cleveland Area Rapid Transit (CART) Ridership totals for June 2011 and said this was the first year CART utilized real boarding numbers, i.e., every passenger boarding the system is counted through automated passenger counting. He said the overall annual ridership FYE 2011 was approximately 1.1 million versus 1.3 million for FYE 2010 and CART felt the decrease in annual ridership was due to the initial glitches in the automated passenger counting system and closing four days in February when the winter storm hit Norman. Mr. Ponder said FYE 2011 Zone Two (passengers who are traveling or live outside  $\frac{3}{4}$  of a mile of a fixed route) usage decreased from FYE 2010 due to cutting the route from five days per week to four days per week. Councilmember Kovach asked about the decrease for the Sooner Express and Mr. Ponder said one route (per day) that was not highly used was cut.

Mr. Ponder said CART's funding will go back under Central Oklahoma Transportation and Parking Authority (COPTA) beginning July 2012; therefore, all federal highway funding, as well as, public transit funding will go through Oklahoma City. He said currently CART can utilize \$700,000 of the annual grant to help support operations, but beginning July 2012, CART will not be able to utilize any federal dollars for operation match. He said CART is attempting to get language inserted that would allow systems having 100 or fewer vehicles to utilize a portion of federal dollars for operating match.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of June 2011

The meeting adjourned at 6:40 p.m.